

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WACHOVIA CORPORATION
ERISA LITIGATION

Case No. 08 Civ. 5320 (NRB)

THIS DOCUMENT RELATES TO:
Welch, No. 08-cv-06464-UA.

**NOTICE OF WITHDRAWAL OF
MICHAEL GOLDBERG AND
RICHARD A. MANISKAS AS CO-
COUNSEL OF RECORD FOR
PLAINTIFF MICHAEL WELCH
WITHOUT PREJUDICE**

PLEASE TAKE NOTICE that, pursuant to Local Civil Rule 1.4, Michael Goldberg and Richard A. Maniskas of Glancy Binkow & Goldberg LLP (collectively, "Movants") respectfully move for an order permitting them to withdraw as co-counsel of record for Plaintiff Michael Welch in the above-captioned matter without prejudice. In support of this motion, Movants state the following:

1. On July 18, 2008, Plaintiff Welch filed a Class Action Complaint for Violations of the Employee Retirement Income Security Act of 1974, captioned *Welch v. Wachovia Corporation*, et al., No. 08-cv-06464-UA.

2. On July 31, 2008 this Court entered an Order consolidating the *Welch* action with the above-captioned matter, and set a September 5, 2008 deadline for the submission of motions for appointment as lead plaintiff.

3. Movants respectfully note that they have not filed any motions on behalf of Plaintiff Welch for appointment as lead plaintiff in the *Welch* action or in the above-captioned matter, and do not intend to do so.

4. This withdrawal is without prejudice to Plaintiff Welch, who continues to be represented by Robert I. Harwood and Jeffrey M. Norton of Harwood Feffer LLP.

Accordingly, Movants respectfully request that they be permitted to withdraw as co-counsel of record for Plaintiff Michael Welch.

Respectfully submitted,

Dated: August 4, 2008

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Welch, No. 08-cv-06464-UA.

**[PROPOSED] ORDER GRANTING
MOTION OF MICHAEL GOLDBERG
AND RICHARD A. MANISKAS FOR
WITHDRAWAL AS CO-COUNSEL OF
RECORD FOR PLAINTIFF MICHAEL
WELCH WITHOUT PREJUDICE**

[PROPOSED] ORDER

The Court having considered the motion of Michael Goldberg and Richard A. Maniskas of Glancy Binkow & Goldberg LLP (collectively, "Movants") for withdrawal as co-counsel of record for Plaintiff Michael Welch without prejudice, pursuant to Local Civil Rule 1.4 (filed with the Court August 4, 2008), Movants' request for withdrawal as co-counsel for Plaintiff Michael Welch is GRANTED.

Dated: _____, 2008

By: _____
HONORABLE NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE